UNITED STATES DISTRICT COURT for the DISTRICT OF MASSACHUSETTS CENTRAL DIVISION

ROBERT J. KILLION, JR. Plaintiff,

CIVIL ACTION NO.:

V.

COMMONWEALTH YACHTS and MAINSHIP CORPORATION Defendants.

04-40256

NOTICE OF APPEARANCE

To the Clerk of the Above Named Court:

In accordance with Local Rule 83.5.2, please enter the appearance of Peter M. Durney, Esq. of Cornell & Gollub as attorney for defendant Mainship Corporation in the abovereferenced matter.

Dated: 12/13/04

By its attorney,

Mainship Corporation

Defendant,

Peter M. Durney, Esq. BBO #139260

CORNELL & GOLLUB 75 Federal Street

Boston, MA 02110

(617) 482-8100

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CERTIFICATE OF SERVICE

I, Peter M. Durney, attorney for the defendant, Mainship Corporation, hereby certify that on the 121 day of December, 2004, a true copy of the foregoing Notice of Appearance, was served by mail, postage prepaid, directed to:

John M. Wozniak, Esq. Brandon S. Killion, Esq. Wozniak & Padula, P.C. 82 Cape Road, Suite 140 Mendon, MA 01756

Robert S. White, Esq. Bourgeois Dresser & White 4 Dix Street Worcester, MA 01609

Peter M. Durney